

# HOUSE . . . . . No. 2189

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## The Commonwealth of Massachusetts

PRESENTED BY:

**Willie Mae Allen**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act to Prevent Youth and Gang Violence.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Willie Mae Allen	6th Suffolk
Stephen L. DiNatale	3rd Worcester
Christine E. Canavan	10th Plymouth
Callahan, Jennifer	State Representative
Karen E. Spilka	Second Middlesex and Norfolk
Martin J. Walsh	13th Suffolk
Denise Provost	27th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2280 OF 2007-2008.]

## **The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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### **AN ACT TO PREVENT YOUTH AND GANG VIOLENCE.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 6 of the General Laws is hereby amended by adding after section 204,  
2 inserted by section 2 of chapter 607 of the acts of 1989, the following three sections:—  
3 Section 205. There is hereby established the Massachusetts Youth Violence and Gang Prevention  
4 Commission, hereinafter referred to as the commission. The commission shall be composed of  
5 fifteen members, to be appointed by the governor, including the following: the commissioner of  
6 youth services, the commissioner of public health, the commissioner of social services, the  
7 commissioner of education, the secretary of public safety, two members of the house of  
8 representatives, and one member of the senate, and seven persons, two of whom shall be  
9 graduates of youth violence programs, who have demonstrated their knowledge of and interest in  
10 youth and gang violence prevention, or their designees.

11 Each appointed member of the board shall serve for a term of three years, provided that of the  
12 initial appointees, three of the initial appointees shall serve for a term of three years, two shall  
13 serve for two years, and two shall serve for one year. Any member shall be eligible for  
14 reappointment.

15 There shall be an executive committee of the commission, consisting of the commissioner of  
16 youth services and four additional members elected annually by the commission. The executive  
17 committee shall, at the commencement of its session, elect the various officers of the committee.  
18 The commissioner of youth services shall serve as chairman of the whole commission. In  
19 addition to the executive committee, the commission may elect other officials and committees as  
20 it deems appropriate.

21 The commission shall have the power to receive and expend monies from the Violence  
22 Prevention Fund established in section thirty-five K of chapter ten, without further appropriation,  
23 for the expenses of the commission and the costs of programs funded by the commission;  
24 provided that no more than one hundred and fifty thousand dollars shall be expended in any  
25 fiscal year for the expenses of the commission; and provided, further, that any programs which  
26 the commission funds must be within the purview of sections two hundred and six and two  
27 hundred and seven.

28 Section 206. The commission shall have, but shall not be limited to, the following powers and  
29 duties: to contract with public or private non-profit organizations, agencies, schools, or qualified  
30 individuals, or to issue grants to cities, towns, or their political subdivisions, for the purpose of  
31 establishing community and school-based programs to teach and promote alternatives to  
32 violence, to provide incentives for youths to avoid youth gangs and stay in school and, to create  
33 opportunities for high risk youth to build positive self-esteem, non-violent communication skills  
34 and job skills; to facilitate the exchange of information between groups concerned with youth  
35 and gang violence; to consult with state and federal departments, agencies, commissions and  
36 boards to determine the need, probable effectiveness, and fiscal soundness of proposed  
37 educational and service programs for the prevention of youth violence and youth gang formation;  
38 to annually evaluate the violence and gang prevention programs under contract, or receiving  
39 grant funding under this section and to evaluate the success in attaining program goals; reduction  
40 in youth violence or gang membership and gang violence in a geographic service area;  
41 development of techniques for the early identification of at-risk youths; and the compilation and  
42 empirical data and generating statistics on youth violence and youth gangs; and to establish, by a  
43 majority vote of its membership, procedures, guidelines, rules and regulations to govern the  
44 operation of the commission; including a requirement to annually report to the governor and the  
45 general court the results of programs funded by the commission, and recommendations for  
46 additional state action.

47 Section 207. The commission shall establish and maintain the commission Job Bank; to develop  
48 a network of information on jobs and job training programs available in private industry,  
49 municipalities, school districts and regional and community-based organizations; to determine  
50 the degree and extent of unemployment among at-risk youth; to make recommendations on the  
51 development of job training programs in geographic regions or economic sectors of the

commonwealth. The commission shall work cooperatively with the department of manpower development and the division of employment security in meeting the requirements of this section.

SECTION 2. Chapter 10 of the General Laws, is hereby amended by inserting after section 35J, inserted by section 2 of chapter 121 of the acts of 1990, the following section:—

Section 35K. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Violence Prevention Fund. Said fund shall consist of all revenues received by the commonwealth under the provisions of section six H of chapter sixty-two, from public and private sources as state appropriations, gifts, grants, and donations, and from the federal government as reimbursements, grants-in-aid or other receipts, to further the purposes of said fund. All revenues credited to said fund under this section shall remain in said fund, not subject to further appropriation, for application to the purposes of the fund. The state treasurer shall be the treasurer of the fund and he shall deposit monies in the fund in accordance with the provisions of sections thirty-four and thirty-four A of chapter twenty-nine in such manner as will secure the highest interest rate available consistent with safety of the fund and with the requirement that all amounts on deposit be available for the immediate withdrawal at any time.

Said fund shall be administered by the Massachusetts Youth Violence and Gang Prevention Commission established in section two hundred and five of chapter six, and expenditures from the fund shall be made only for the purpose stated in sections two hundred and five through two hundred and seven of said chapter six.

SECTION 3. Chapter 62 of the General Laws is hereby amended by inserting after section 6G, inserted by section 27 of said chapter 121, the following section:—

Section 6H. Every individual who files a separate return and every husband and wife filing a return jointly may voluntarily contribute all or part of any refund to which they are entitled, or may voluntarily add an amount onto any amount due, to be credited to the Massachusetts Violence Prevention Fund established pursuant to section thirty-five K of chapter ten.

A contribution made under this section may be made with respect to any taxable year at the time of filing a return of the tax established by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C; and, provided further, that

83 the commissioner shall assure that taxpayers filing any such forms are made clearly aware of  
84 their ability to make the contributions provided for by this section.  
85 The commissioner shall annually report the total amount designated under this section to the  
86 state treasurer, who shall credit such amount to said Massachusetts Violence Prevention Fund.